



Docket No. **CTF10095-US**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the U.S. Application of:

Alan SLATER

Group Art Unit: 2761

Serial No.: 09/348,678

Examiner: To Be Assigned

Filed: August 27, 1999

For: SYSTEM AND METHOD FOR MERCHANT  
FUNCTION ASSUMPTION OF INTERNET  
CHECKING AND SAVINGS ACCOUNT  
TRANSACTIONS

**RECEIVED**  
NOV 1 1999  
TECH CENTER 1600/2900

**TRANSMITTAL OF MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Application -- Filing Date Granted  
mailed September 17, 1999, the following items are submitted herewith to complete the formal  
filing requirements for the subject application:

- (1) A Declaration/Power of Attorney for this patent application executed by the inventor;
- (2) Recordation Cover Sheet and Assignment form;
- (3) Checks in the amount of \$130.00 and \$40.00 for: (1) surcharge fee of \$130.00 pursuant to 37 CFR § 1.16(e); and (2) \$40.00 for assignment recordation fee pursuant to 37 CFR § 1.21(h)
- (4) A copy of the Notice to File Missing Parts of Application - Filing Date Granted mailed on August 3, 1999.

Serial No. 09/348,678  
Art Group: 2761

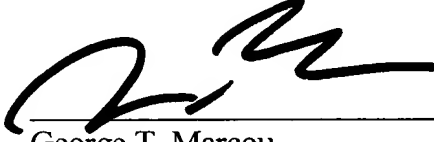
- 2 -

Docket No. CITI0095-US

If any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to the Deposit Account no. 11-0855. A copy of this correspondence is provided for this purpose.

Respectfully submitted,

Date: 10/27/99  
KILPATRICK STOCKTON LLP  
700 13th Street, N.W., Suite 800  
Washington, D.C. 20005  
(202) 508-5800  
65102.1

  
George T. Marcou  
Registration No. 33,014

Docket No. CITI0095-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the U.S. Application of:

Alan SLATER

Group Art Unit: 2761

Serial No.: 09/<sup>34</sup>248,678

Examiner: To Be Assigned

Filed: August 27, 1999

For: SYSTEM AND METHOD FOR MERCHANT  
FUNCTION ASSUMPTION OF INTERNET  
CHECKING AND SAVINGS ACCOUNT  
TRANSACTIONS

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:


It is respectfully requested that a corrected Official Filing Receipt be issued in connection with the above-identified application, to indicate its **--claim of priority to Utility Application No. 09/237,739, filed on January 26, 1999--**. A copy of the unexecuted Declaration and Power Attorney form, the first page of the specification filed with the application, both of which reflect the above-mentioned continuing data claimed, and a copy of the original Official Filing Receipt, are enclosed for your convenience. Additionally, please include the Attorney Docket No. **--CITI0095-US--** for this matter. A corrected Filing Receipt is warranted to maintain an accurate record in the Office file of the above-identified application.

No fee is believed to be required since the incorrect filing receipt was due to an error by the Office. However, should any fee be involved, please charge Deposit Account No. 11-0855. A copy of this correspondence is provided for this purpose.

Respectfully submitted,

Date: 10/27/99

KILPATRICK STOCKTON LLP  
700 13th Street, N.W., Suite 800  
Washington, D.C. 20005  
65105.1

  
George T. Marcou  
Reg. No. 33,014

**FILE COPY**

Bib Data Sheet

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

<b>SERIAL NUMBER</b> 09/384,678	<b>FILING DATE</b> 08/27/1999 <b>RULE</b> -	<b>CLASS</b> 705	<b>GROUP ART UNIT</b> 2761	<b>ATTORNEY DOCKET NO.</b> CITI0095-US
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**APPLICANTS**  
ALAN SLATER, EAST BRUNSWICK, NJ ;

**\*\* CONTINUING DATA \*\*\*\*\***  
THIS APPLICATION IS A CIP OF 09/237,739 01/26/1999  
WHICH CLAIMS BENEFIT OF 60/072,878 01/28/1998  
WHICH CLAIMS BENEFIT OF 60/098,196 08/27/1998

**\*\* FOREIGN APPLICATIONS \*\*\*\*\***

**IF REQUIRED, FOREIGN FILING LICENSE GRANTED**  
\*\* 09/15/1999 -

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	<b>STATE OR COUNTRY</b> NJ	<b>SHEETS DRAWING</b> 8	<b>TOTAL CLAIMS</b> 48	<b>INDEPENDENT CLAIMS</b> 2
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature _____ Initials _____				

**ADDRESS**  
GEORGE T MARCOU ESQ  
KILPATRICK STOCKTON LLP  
700 13TH STREET NW  
SUITE 800  
WASHINGTON, DC 20005 *27510*

**TITLE**  
System and method for merchant function assumption of internet checking and savings account transactions

<b>FILING FEE RECEIVED</b> 1394	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees ( Filing )
		<input type="checkbox"/> 1.17 Fees ( Processing Ext. of time )
		<input type="checkbox"/> 1.18 Fees ( Issue )
		<input type="checkbox"/> Other _____
		<input type="checkbox"/> Credit



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/384,678 08/27/99 SLATER

A

0242/0917

NOT ASSIGNED

GEORGE T MARCOU ESQ  
KILPATRICK STOCKTON LLP  
700 13TH STREET NW  
SUITE 800  
WASHINGTON DC 20005

2761

DATE MAILED:

09/17/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$\_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$\_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$\_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$\_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☐ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

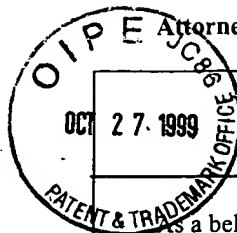
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

## English Language Declaration

I, as a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled SYSTEM AND METHOD FOR MERCHANT FUNCTION ASSUMPTION OF INTERNET CHECKING AND SAVINGS ACCOUNT TRANSACTIONS;

the specification of which

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as

☐ Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

\_\_\_\_\_  
(Number) (Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

Yes No

\_\_\_\_\_  
(Number) (Country)

\_\_\_\_\_  
(Day/Month/Year Filed)

Yes No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

60/098,196  
(Application Serial No.)

August 27, 1998  
(Filing Date)

Pending  
(Status)  
(patented, pending, abandoned)

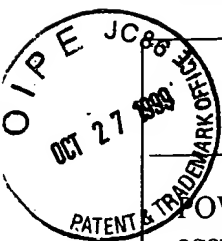
09/237,739  
(Application Serial No.)

January 26, 1999  
(Filing Date)

Pending  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

EXPRESS MAIL NO. 50 46720



## English Language Declaration

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

George T. Marcou, Registration No. 33,014; Richard Peterson, Registration No. 35,320; Charles W. Calkins, Registration No. 31,814; John M. Harrington, Registration No. 25,592; A. Jose Cortina, Registration No. 29,733; Russell Todd Morgan, Registration No. 43,815; James J. Bindseil, Reg. No. 42,326; Benjamin Driscoll, Registration No. 41,571; Yoncha L. Kundupoglu, Registration No. 41,130; R. Whitney Winston, Registration No. P-44,432; John Ball, Registration No. P-44,433; Dawn-Marie Bey, Registration No. P-44,442; and Tiep Nguyen, Registration No. P-44,465.

Send Correspondence to:

Direct telephone calls to:

George T. Marcou  
Kilpatrick Stockton LLP  
Suite 800  
700 - 13th Street, N.W.  
Washington, D.C. 20005

George T. Marcou  
(202) 508-5800

Full name of first inventor: Alan SLATER	
First Inventor's Signature	Date
Residence Address: 10 Jefferson Road, East Brunswick, New Jersey, 08816	
Citizenship: U.S. Citizen	
Post Office Address: 10 Jefferson Road, East Brunswick, New Jersey, 08816	

C0464-176080  
WINLIB01:769133.01



EXPRESS MAIL NO. 508446720

**SYSTEM AND METHOD FOR MERCHANT FUNCTION  
ASSUMPTION OF INTERNET CHECKING AND SAVINGS  
ACCOUNT TRANSACTIONS**

**5 Cross Reference to Related Applications**

This application claims the priority of applicant's co-pending application having U.S. Serial No. 60/098,196 filed August 27, 1998, incorporated herein by this reference, and applicant's co-pending utility application having U.S. Serial No. 09/237,739 filed January 26, 1999, incorporated herein by this reference.

- 10 This application also relates to applicant's co-pending utility application entitled "System and Use for Correspondent Banking" filed August 27, 1999, incorporated herein by this reference.

**Field of the Invention**

- 15 The present invention relates generally to the field of banking systems and Internet transactions, and more particularly, to a system that allows a service provider to perform merchant functions in utilizing checking and savings accounts in Internet transactions.

**20 Background of the Invention**

- With the increasing commercialization of the Internet, methods of performing payment transactions are becoming well known and new payment methods are desired. In an effort to expand the available sources of payment, methods have been developed to utilize checking and savings account funds to
- 25 perform Internet transactions. Some methods allow the use of "electronic checks" to perform transactions.

There are a number of problems, however, associated with current electronic check methods. For example, since the flow of the current electronic checks replicates the flow used for paper checks, the merchant is unsure if the

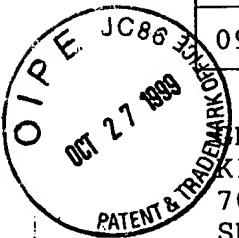


FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/384,678	08/27/99	2761	\$1,264.00	CIT10095	8	48	2



GEORGE T MARCOU ESQ  
KILPATRICK STOCKTON LLP  
700 13TH STREET NW  
SUITE 800  
WASHINGTON DC 20005

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) ALAN SLATER, EAST BRUNSWICK, NJ.

CONTINUING DATA AS CLAIMED BY APPLICANT-

PROVISIONAL APPLICATION NO. 60/098,196 08/27/98

X →

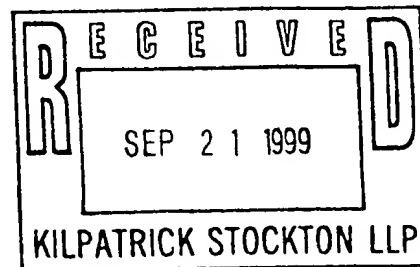
09/237739 1/26/99

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/15/99

TITLE

SYSTEM AND METHOD FOR MERCHANT FUNCTION ASSUMPTION OF INTERNET  
CHECKING AND SAVINGS ACCOUNT TRANSACTIONS

PRELIMINARY CLASS: 705



DATA ENTRY BY: LANCASTER, DAVID

TEAM: 04 DATE: 09/15/99



(See reverse for new important information)